

**Resolution authorizing the execution of the "Agreement Regarding Lease" to provide security for a loan to Zoombezi Bay LLC related to construction at Zoombezi Bay Water Park.
(Commissioners)**

WHEREAS, the Columbus Zoological Park Association ("Zoo"), leases land from the City of Columbus ("City") and the Board of Franklin County Commissioners of Franklin County Ohio ("County") to operate the Columbus Zoo; and

WHEREAS, the Zoo subleases a portion of that land to Zoombezi Bay LLC ("Zoombezi") for a water park; and

WHEREAS, in 2008, the County entered into an "Agreement Regarding Lease" by and among itself, the City, Huntington National Bank ("Huntington"), and the Zoo, to secure the bank's loan of \$20,000,000.00 to Zoombezi to construct a water park; and

WHEREAS, as part of its operation, the Zoombezi is preparing for the construction of a new water slide; and

WHEREAS, the Huntington has agreed to loan Zoombezi \$2,500,000.00 to fund construction of the slide, contingent upon the City's and County's agreement to secure the bank's loan by entering into an entirely separate, independent second priority leasehold mortgage lien on the sublease agreement; and

WHEREAS, it is necessary to approve the "Agreement Regarding Lease" by and among the City, County, Huntington and Zoo to allow for the construction of a new water slide; now, therefore,

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS, FRANKLIN COUNTY, OHIO:

That the attached "Agreement Regarding Lease" by and among The Huntington National Bank, The Columbus Zoological Park Association, the City of Columbus, and the Franklin County Board of Commissioners, to provide security for a loan to Zoombezi Bay LLC, an Ohio limited liability company for the construction of a new water slide at Zoombezi Bay Water Park, is hereby approved.

Prepared by: Nick Soulas